

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 3:18-00213-01

QUANDALE TURK
also known as "Q"

ORDER

On June 30, 2020, the Court denied defendant Quandale Turk's Motion for Compassionate Release. ECF No. 43. Turk has since filed a short supplemental motion repeating his request for release under 18 U.S.C. § 3852(c)(1)(A) based on "extraordinary and compelling" reasons related to the COVID-19 pandemic. As the Court previously explained, § 3852(c)(1)(A) only allows for the modification of a term of imprisonment after a term has been imposed, and the Court has not sentenced Turk in this matter. He therefore has no remedy under § 3852(c)(1)(A). If Turk wishes to challenge the constitutionality of his current conditions of confinement, he must file an action in the federal district in which he is currently detained. The Court therefore **DENIES** Turk's supplemental motion, ECF No. 44, and **DIRECTS** the Clerk to send a copy of this Order to counsel and the defendant, the United States Attorney's Office, the United States Probation Office, and the United States Marshals Service.

ENTER: July 13, 2020

A handwritten signature in black ink, appearing to read "Robert C. Chambers", written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE